



1652

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Klaus DUCKER et al.

Serial No.: 10/088,676

Group Art Unit: 1652

Filed: March 21, 2002

Examiner: M. RAO

For: A NOVEL MEMBER OF THE HEPARANASE PROTEIN FAMILY

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FEB 24 2004

**RESUBMISSION OF RESPONSE TO
RESTRICTION REQUIREMENT OF JUNE 19, 2003**

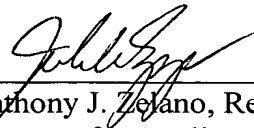
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Alexandria, VA 22313-1450

Sir:

Attached is another copy of the response filed June 19, 2003, along with the U.S. Patent and Trademark Office date-stamped card, proving its timely filing.

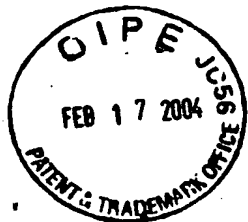
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Respectfully submitted,

 (33,103) for
Anthony J. Zelano, Reg. No. 27,969
Attorney for Applicants

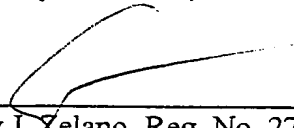
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Date: February 17, 2004

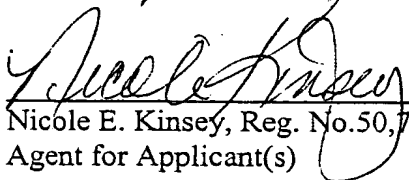


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Respectfully submitted,



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RESPONSE TO RESTRICTION REQUIREMENT

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P.O. Box 1450
Alexandria, VA 22313-1450

FEB 24 2004

Sir:

In response to the Restriction Requirement dated May 29, 2003, applicants hereby elect with traverse Group I (claims 1-9).

It is respectfully submitted that the subject matter of the claims does have unity of invention. For example, the antibodies of Group II were made by immunizing an animal with the polypeptides of Group I (i.e., the antibodies of Group II are specific to the polypeptides of Group I). Furthermore, a search of the claims of Groups I-III would be co-extensive, and would not represent a serious search burden for the patent office. Absent a serious burden of examination, restriction is not proper. See MPEP § 803. Thus, the requirement should be withdrawn.



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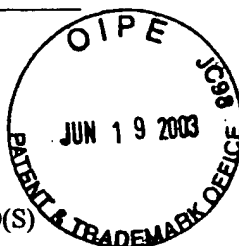
FILED March 21, 2002

APPLICANT(S) DUCKER et al.

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF THE FOLLOWING PAPERS FILED ON: 6/19/03

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Initials: NEK/brs

Dktd 6/19/03-HR